

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

INTERNATIONAL PAPER)
COMPANY,)
Plaintiff,)
v.) Case No. 2:22-cv-2789-MSN-CGC
BEAZLEY INSURANCE COMPANY,) JURY TRIAL DEMANDED
INC. and ZURICH AMERICAN)
INSURANCE COMPANY,)
Defendants.)

**PLAINTIFF INTERNATIONAL PAPER COMPANY'S MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Plaintiff International Paper Company (“IP”) moves this Court for an order granting summary judgment in its favor and against Defendant, Beazley Insurance Company Inc. (“Beazley”), with respect to Defendant Beazley Insurance Company’s first, fourth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth affirmative defenses (as stated in Beazley’s Answer to IP’s Complaint) because there is no genuine issue of material fact that these defenses are not applicable to IP’s insurance coverage claim for Employee Theft under the Beazley insurance policy. IP details the facts and supporting authority for this motion in IP’s brief filed concurrently with this motion.

Accordingly IP respectfully requests that the Court grant this motion and enter an order, in the form accompanying this motion, striking and dismissing with prejudice Beazley's first, fourth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth affirmative defenses.

Dated: January 30, 2024

s/John Sylvester

Jason W. Callen
TN Bar #015076
K&L Gates LLP
501 Commerce Street
Suite 1500
Nashville, TN 37203
(615) 780-6700
Jason.callen@klgates.com

John M. Sylvester (Pro Hac Vice)
Laura K. Veith (Pro Hac Vice)
Nathan Townsend (Pro Hac Vice)
K&L Gates Center
210 Sixth Avenue
Pittsburgh, Pennsylvania 15222
(412)-355-6500
John.sylvester@klgates.com
Laura.veith@klgates.com
Nathan.townsend@klgates.com

Counsel for Plaintiff International Paper Company